# **EXHIBIT A**



**Notice of Service of Process** 

null / ALL Transmittal Number: 24051090 Date Processed: 11/10/2021

Primary Contact: Steven S Runner

**Exxon Mobil Corporation** 

22777 Springwoods Village Pkwy

Spring, TX 77389-1425

Electronic copy provided to: Stephanie Adderley

Entity: Exxon Mobil Corporation

Entity ID Number 1685331

Entity Served: Exxon Mobil Corporation

Title of Action: J. Scott Tidwell vs. Exxon Mobil, L.L.C.

Matter Name/ID: J. Scott Tidwell vs. Exxon Mobil, L.L.C. (11727269)

Document(s) Type: Summons/Complaint

Nature of Action: Discrimination

Court/Agency: Cook County Circuit Court, IL

Case/Reference No: 2021 L 005570

Jurisdiction Served: Illinois

Date Served on CSC: 11/10/2021

Answer or Appearance Due: 30 Days

Originally Served On: CSC

How Served: Personal Service
Sender Information: J. Scott Tidwell
312-263-2698

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

2120 - Served 2121 - Served 2620 - Sec. of State

2220 - Not Served 2221 - Not Served 2621 - Alias Sec of State

2320 - Served By Mail 2321 - Served By Mail

2420 - Served By Publication 2421 - Served By Publication

Summons - Alias Summons (03/15/21) CCG 0001 A

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Name all Parties		
J. Scott Tidwell		
Plaintiff(s)		
Exxon Mobil Corporation	Case No.	2021 L 005570
Defendant(s)		
801 Adlai Stevenson Drive Springfield, IL 62703		
Address of Defendant(s)		
Please serve as follows (check one): (Certified	Mail O Sl	periff Service (© Alias

#### OCIVIIV

#### **SUMMONS**

### To each Defendant:

You have been named a defendant in the complaint in this case, a copy of which is hereto attached. You are summoned and required to file your appearance, in the office of the clerk of this court, within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

## THERE IS A FEE TO FILE YOUR APPEARANCE.

FILING AN APPEARANCE: Your appearance date is NOT a court date. It is the deadline for filing your appearance/answer. To file your appearance/answer YOU DO NOT NEED TO COME TO THE COURTHOUSE, unless you are unable to eFile your appearance/answer. You can download an Appearance form at http://www.illinoiscourts.gov/Forms/approved/procedures/appearance.asp. After completing and saving your Appearance form, you can electronically file (e-File) it with the circuit clerk's office.

(03/15/21) CCG 0001 B

**E-FILING:** E-filing is now mandatory with limited exemptions. To e-File, you must first create an account with an e-Filing service provider. Visit http://efile.illinoiscourts.gov/ service-providers.htm to learn more and to select a service provider.

If you need additional help or have trouble e-Filing, visit http://www.illinoiscourts.gov/faq/gethelp.asp or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file inperson or by mail. Ask your circuit clerk for more information or visit www.illinoislegalaid.org.

<u>FEE WAIVER</u>: If you are unable to pay your court fees, you can apply for a fee waiver. For information about defending yourself in a court case (including filing an appearance or fee waiver), or to apply for free legal help, go to www.illinoislegalaid.org. You can also ask your local circuit clerk's office for a fee waiver application.

**COURT DATE:** Your court date will be sent to your e-File email account or the email address you provided to the clerk's office. You can also call or email the clerk's office to request your next court date. You will need to provide your case number OR, if unknown, the name of the Plaintiff or Defendant. For criminal case types, you will also need to provide the Defendant's birthdate.

**REMOTE APPEARANCE:** You may be able to attend this court date by phone or video conference. This is called a "Remote Appearance". Call the Circuit Clerk at (312) 603-5030 or visit their website at www. cookcountyclerkofcourt.org to find out how to do this.

Contact information for each of the Clerk's Office locations is included with this summons. The Clerk's office is open Mon - Fri, 8:30 am - 4:30 pm, except for court holidays.

To the officer: (Sheriff Service)

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than thirty (30) days after its date.

○ Atty. No.: 12871 ○ Pro Se 99500	Witness date
Name: Caroline E. Rdzanek Atty. for (if applicable):	Iris Y. Martinez, Clerk of Court
J. Scott Tidwell	
Address: 120 N. LaSalle Street, Suite 1050	Date of Service:
City: Chicago	(To be inserted by officer on copy left with employer or other person)
State: <u>IL</u> Zip: <u>60602</u>	
Telephone: (312) 263-2698	
Primary Email: cerdzanek@arwlegal.com	

#### GET YOUR COURT DATE BY CALLING IN OR BY EMAIL

<u>CALL OR SEND AN EMAIL MESSAGE</u> to the telephone number or court date email address below for the appropriate division, district or department to request your next court date. Email your case number, or, if you do not have your case number, email the Plaintiff or Defendant's name for civil case types, or the Defendant's name and birthdate for a criminal case.

### **CHANCERY DIVISION**

Court date EMAIL: ChanCourtDate@cookcountycourt.com Gen. Info: (312) 603-5133

#### CIVIL DIVISION

Court date EMAIL: CivCourtDate@cookcountycourt.com Gen. Info: (312) 603-5116

### **COUNTY DIVISION**

Court date EMAIL: CntyCourtDate@cookcountycourt.com Gen. Info: (312) 603-5710

## DOMESTIC RELATIONS/CHILD SUPPORT DIVISION

Court date EMAIL: DRCourtDate@cookcountycourt.com

OR

ChildSupCourtDate@cookcountycourt.com

Gen. Info: (312) 603-6300

#### DOMESTIC VIOLENCE

Court date EMAIL: DVCourtDate@cookcountycourt.com

Gen. Info: (312) 325-9500

#### LAW DIVISION

Court date EMAIL: LawCourtDate@cookcountycourt.com

Gen. Info: (312) 603-5426

### **PROBATE DIVISION**

Court date EMAIL: ProbCourtDate@cookcountycourt.com

Gen. Info: (312) 603-6441

### ALL SUBURBAN CASE TYPES

#### **DISTRICT 2 - SKOKIE**

Court date EMAIL: D2CourtDate@cookcountycourt.com Gen. Info: (847) 470-7250

#### **DISTRICT 3 - ROLLING MEADOWS**

Court date EMAIL: D3CourtDate@cookcountycourt.com Gen. Info: (847) 818-3000

### **DISTRICT 4 - MAYWOOD**

Court date EMAIL: D4CourtDate@cookcountycourt.com

Gen. Info: (708) 865-6040

#### **DISTRICT 5 - BRIDGEVIEW**

Court date EMAIL: D5CourtDate@cookcountycourt.com

Gen. Info: (708) 974-6500

### **DISTRICT 6 - MARKHAM**

Court date EMAIL: D6CourtDate@cookcountycourt.com

Gen. Info: (708) 232-4551

## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, LAW DIVISION

J. SCOTT TIDWELL,	)	
Plaintiff,	)	
$\mathbf{v}_{i}$	) Case No.	
EXXON MOBIL CORPORATION	) )	
Defendant.	) ) Jury Den	ganded

## COMPLAINT

NOW COMES Plaintiff, J. SCOTT TIDWELL, by and through his attorneys, ABRAHAMSON VORACHEK & RDZANEK, and for his Complaint of discrimination and retaliation pursuant to the Illinois Human Rights Act ("IHRA"), 755 ILCS 5/1-101 et seq., states as follows:

### **PARTIES**

- 1. Plaintiff, J. SCOTT TIDWELL ("Plaintiff" or "Mr. Tidwell"), is now and, at all times relevant to the instant Complaint, was a resident of Grundy County, Illinois, residing at 665 South Laura Lane, Diamond, Illinois 60416.
- 2. Defendant, EXXON MOBIL CORPORATION, L.L.C. ("Defendant" or "Exxon Mobil"), is a corporation with a place of business in Illinois. Mr. Tidwell worked at Defendant's place of business at 25915 South Frontage Road, Channahon, Illinois 60410, known as Defendant's "Joliet Refinery" location. At all times relevant to this action, Defendant was an employer within the meaning of the IHRA, 775 ILCS 5/2-101(B)(1).

## **ADMINISTRATIVE PROCEEDINGS**

- 3. Plaintiff met all administrative prerequisites prior to bringing this action. In May 2020, Plaintiff filed a charge of sex discrimination and retaliation with the Illinois Department of Human Rights ("IDHR") alleging violations of the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e et seq and the Illinois Human Rights Act, 775 ILCS 5/2-101 et seq. This charge of sex discrimination and retaliation was also cross-filed with the Equal Employment Opportunity Commission ("EEOC"). Plaintiff's IDHR charge of discrimination was designated as Charge Number 2020-CF-2527.
- 4. On March 4, 2021, Plaintiff's counsel received a Notice of Dismissal for Lack of Substantial Evidence from the IDHR. Copies of Plaintiff's Charge of Discrimination and Notice of Dismissal are attached hereto as Group Exhibit A. Within 90 days of receipt, Plaintiff has initiated the instant Complaint, as required by the IHRA. 775 ILCS 5/1-101 et seq.

## BACKGROUND

- 5. Mr. Tidwell is male and was hired by Defendant in 2006 as a Process Operator.
- 6. Plaintiff was an exceptional performer throughout his tenure with Defendant, receiving consistently positive feedback about his performance. This feedback included performance reviews with ratings of either "exceeds expectations" or "meets expectations."
- 7. In 2019, Mr. Tidwell applied for a promotion to the position of Utilities PMC Support. After he went through an extensive application process, including having several members of management review his work history, Mr. Tidwell was selected for the position in December 2019 and moved into the position on or about January 13, 2020.

- 8. On or about December 19, 2019, Phil Lowry, another of Defendant's employees, and Mr. Tidwell spoke with Jessica Lockwood, a female contractor of Defendant, complimenting her on her work and for keeping the work area clean.
- 9. The following day, on or about December 20, 2019, Defendant informed Mr. Tidwell that Ms. Lockwood had made an allegation of sexual harassment against him and Mr. Lowry. Mr. Tidwell participated in an investigatory interview conducted by Defendant. In his interview, Mr. Tidwell told Defendant that he had interacted with Ms. Lockwood the day before and had only complimented her work performance. Mr. Tidwell denied that he had engaged in any sexual harassing behavior or made any sexual harassing comments to Ms. Lockwood. Mr. Tidwell also answered questions about Mr. Lowry related to Ms. Lockwood's allegation of sexual harassment against him [Lowry].
- 10. On or about January 16, 2020, Mr. Tidwell was suspended with pay while Defendant purportedly investigated the allegation.
- 11. On or about January 22, 2020, Mr. Tidwell was terminated and was told the reasons for his firing were that he had violated Defendant's harassment policy and that he "lied" during his December 2019 interview with Defendant.
- 12. Mr. Tidwell later learned from Mr. Lowry that he [Lowry] was also questioned about his interactions with Ms. Lockwood, denied that he or Mr. Tidwell sexually harassed her, and was subsequently terminated.
- 13. Upon information and belief, Tracy Holder, one of Defendant's employees who was not present when Mr. Lowry and Mr. Tidwell spoke with Ms. Lockwood, provided information during the investigation about the alleged incident, despite her lack of first-hand knowledge.

- 14. Upon information and belief, after his firing, Mr. Tidwell was replaced by a woman, Ms. Holder.
- 15. As a result of Defendant's actions, Mr. Tidwell has suffered from severe emotional distress, including loss of sleep, severe anxiety, depression, loss of appetite, loss of enjoyment of life, mental anguish, and loss of income and benefits.

## COUNT I – ILLINOIS HUMAN RIGHTS ACT – SEX DISCRIMINATION

- 16. Plaintiff repeats and realleges Paragraphs 1-15 as though fully set forth herein.
- 17. This count is brought pursuant to the IHRA, 755 ILCS 5/1-101 et seq.
- 18. Plaintiff is male.
- 19. At the time of Defendant's discriminatory actions and at the time of his termination, Plaintiff was performing his job duties more than satisfactorily.
- 20. Mr. Tidwell was subjected to adverse treatment, including, but not limited to, baseless accusations of sexual harassment, baseless accusations of lying during an investigation, suspension, and termination.
- 21. Female employees and contractors such as Ms. Holder and Ms. Lockwood were treated more favorably, while Mr. Tidwell was subjected to adverse treatment. For example, Defendant believed Ms. Lockwood's allegations, despite the fact that both Mr. Tidwell and Mr. Lowry denied the allegations, and Ms. Holder with respect to her statements about the alleged sexual harassment, while Defendant treated Mr. Tidwell's interview statements as lies.
- 22. Another male, Mr. Lowry, was subjected to similar adverse treatment in that Ms. Lockwood's allegation were believed and his interview statements were treated as lies.
  - 23. After his termination, Plaintiff's duties were assumed by a woman, Ms. Holder.

- 24. Defendant's stated reasons for terminating Plaintiff were pretextual and a cover-up for the real reason for its actions, which was Plaintiff's sex.
- 25. By terminating Plaintiff, Defendant intentionally discriminated against Plaintiff because of his sex, in violation of the IHRA.

WHEREFORE, Plaintiff prays for judgment in his favor and against Defendant as follows:

- a) that a finding be entered that Defendant intentionally discriminated against Plaintiff because of his sex, in violation of the IHRA;
- b) that Plaintiff be awarded all wages, benefits, and other compensation lost due to Defendant's discriminatory conduct;
- c) that Plaintiff be awarded compensatory damages, including damages for the severe emotional distress Defendant's actions have caused him, in the amount of \$1,000,000 at a minimum;
- d) that Plaintiff be awarded liquidated damages:
- e) that Plaintiff be awarded attorneys' fees and costs;
- f) that Plaintiff be awarded prejudgment interest, and interest on the judgment at the statutory rate of 9% (735 ILCS 5/2-1303); and
- g) that Plaintiff be awarded such other relief as this Court may deem just and proper.

## COUNT II - ILLINOIS HUMAN RIGHTS ACT - RETALIATION

- 26. Plaintiff repeats and realleges Paragraphs 1-15 as though fully set forth herein.
- 27. This count is brought pursuant to the IHRA, 755 ILCS 5/1-101 et seq.
- 28. Plaintiff participated in Defendant's investigation of claims of sexual harassment regarding Mr. Tidwell and Mr. Lowry.

- 29. After he participated in this investigation, Mr. Tidwell was subjected to adverse and retaliatory treatment, including, but not limited to, his firing.
- 30. Another male, Mr. Lowry, was subjected to similar adverse treatment in that after he participated in this investigation, he was also terminated.
- 31. Defendant's stated reasons for terminating Plaintiff were pretextual and a cover-up for the real reason for its actions, which was retaliation for Plaintiff's participation in an investigation.
- 32. By terminating Plaintiff, Defendant retaliated against Plaintiff because of his participation in an investigation of sexual harassment, in violation of the IHRA.

WHEREFORE, Plaintiff prays for judgment in his favor and against Defendant as follows:

- a) that a finding be entered that Defendant retaliated against Plaintiff because of his participation in an investigation of sexual harassment, in violation of the IHRA;
- b) that Plaintiff be awarded all wages, benefits, and other compensation lost due to Defendant's retaliatory conduct;
- c) that Plaintiff be awarded compensatory damages, including damages for the severe emotional distress Defendant's actions have caused him, in the amount of \$1,000,000 at a minimum;
- d) that Plaintiff be awarded liquidated damages;
- e) that Plaintiff be awarded attorneys' fees and costs;
- f) that Plaintiff be awarded prejudgment interest, and interest on the judgment at the statutory rate of 9% (735 ILCS 5/2-1303); and
- g) that Plaintiff be awarded such other relief as this Court may deem just and proper.

## Jury Demanded

Respectfully submitted,

Зу:

Caroline F. Rdzanek

## Attorneys for Plaintiff:

Caroline E. Rdzanek
Courtney B. Sundstrom
ABRAHAMSON VORACHEK & RDZANEK
120 North LaSalle Street, Suite 1050
Chicago, Illinois 60602
312/263-2698
attorneys@avllegal.com

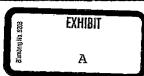
## Address for Service:

Exxon Mobil, L.L.C. 25915 South Frontage Road Channahon, Illinois 60410

DATED: June 1, 2021

CHARGE OF DISCRIMINATION			AGI	ENCY	-	*
This form is affected by the Privacy Act of 1974: See Privacy Act Statement before completing this form.			1DHR		C.	iarge number
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NAME OF COMPLAINT (indicate Mr. Ms. Mrs.)	* ***	<del></del>	1	TELEPHONE NUMBER (include area code)		
J. Scott Tidwell				(815) 791-3803		
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665 S. Laura Lane	Diamon	d, Illin	ois	60416		07/07/1969
named is the <b>employer</b> , labor organization, <b>e</b> government agency <b>who discriminated again</b>						tee, state or local
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Page 1 of 5						
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LEO-S FORM (Rev. 05/14-INT)



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Page 5 of 5	•	
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IN THE MATTER OF	STATE OF DEPARTMENT OF	<del></del>	MAR - 4 2021
IN THE MATTER OF: J. SCOTT TIDWELL,			
AND	COMPLAINANT,	CHARGE NO. EEOC NO.	2020CF2527 21BA01423
EXXON MOBIL CORPO	ORATION,	<i>k</i>	
	) )	), 	
	RESPONDENT. )	,	

## NOTICE OF DISMISSAL FOR LACK OF SUBSTANTIAL EVIDENCE

For Complainant

Caroline Rdzanek Abrahamson Vorachek & Rdzanek 120 N. LaSalle Street Suite 1050 Chicago, IL 60602 For Respondent

Jaclyn Caugherty
Exxon Mobil Corporation
22777 Springwoods Village Pkwy
Office N1.4B.375
Spring, TX 77389

DECEIVED

DATE OF DISMISSAL: February 19, 2021

- 1. YOU ARE HEREBY NOTIFIED that based upon the enclosed investigation report, the Department has determined that there is NOT substantial evidence to support the allegation(s) of the charge. Accordingly, pursuant to Section 7A-102(D) of the Act (775 ILCS 5/1-101 et seq.) and the Department's Rules and Regulations (56 III. Adm. Code. Chapter II, §2520.560) the charge is HEREBY DISMISSED.
- 2. If Complainant disagrees with this action, Complainant may:
  - a) Seek review of this dismissal before the Illinois Human Rights Commission (Commission), 100 West Randolph Street, Suite 5-100, Chicago, Illinois, 60601, by filing a "Request for Review" with the Commission by the request for review filing date below. Respondent will be notified by the Commission if a Request for Review is filed.

## REQUEST FOR REVIEW FILING DEADLINE DATE: May 25, 2021

Or, Complainant may:

b) Commence a civil action in the appropriate state circuit court within ninety (90) days after receipt of this Notice. A complaint should be filed in the Circuit court in the county where the civil rights violation was allegedly committed.

STATE OF ILLINOIS	)	
COUNTY OF COOK	) ss )	CHARGE NO. 2020CF2527

## **AFFIDAVIT OF SERVICE**

Monica Vandeven, deposes and states that s/he served a copy of the attached NOTICE OF DISMISSAL FOR LACK OF SUBSTANTIAL EVIDENCE on each person named below by depositing the same on February 19, 2021, in the U.S. Mail Box at 100 West Randolph Street, Chicago, Illinois, properly posted for FIRST CLASS MAIL, addresses as follows:

## For Complainant

Caroline Rdzanek Abrahamson Vorachek & Rdzanek 120 N. LaSalle Street Suite 1050 Chicago, IL 60602

## For Respondent

Jaclyn Caugherty
Exxon Mobil Corporation
22777 Springwoods Village Pkwy
Office N1.4B.375
Spring, TX 77389

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.



### PLEASE NOTE:

The above-signed person is responsible only for <u>mailing</u> these documents. If you wish a review of the findings in this case, you must complete the Request for Review form attached. Department of Human Rights' staff are not permitted to discuss the investigation findings once a Notice of Dismissal has been issued.

## IN THE CIRCUIT COURT COOK CUTY, ILLINOIS

J SCOTT TIDWEL

21 L 5570

## EXXON MOBILE CORPORATION

PHILIP B. CRAVENS hereby that I am over 21 years of age and not a party to this case. I served the:

SUMMONS / COMPLAINT

CORPORATION or BUSINESS:

EXXON MOBILE CORPORATION

C/O ILLINOIS CORPORATION SERVICE

by leaving a copy of the document(s) with: ETHAN SMITH

**CLERK** 

of the Corporation or Business on

NOV. 10, ,2021 9;20 AM

801 STEVENSON SANGAMON COUNTY SPRINGFIELD, IL.

## DESCRIPTION OF PERSON

RACE: W SEX: M AGE: 20's

## CERTIFICATION

Under penalties as provided by law pursuant to section 109 of the Code of Civil Procedure of Illinois, the undersigned certifies that the statements set forth herein are true and correct, except as to matters therein stated to be on information and belief, and as to such matters, the undersigned certifies as aforesaid that he believes that same to be true.

DATED: _	1160 27	per en
	_	LICENSE #: 115-0074